

## Connie Diaz

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**From:** Susan Mickley  
**Sent:** Wednesday, January 6, 2021 3:08 PM  
**To:** hvput.gm@gmail.com  
**Cc:** Dana Shaffer; Charles Mathias; Blaise Scinto; Paul Malmud; Cecilia Sulhoff; Connie Diaz; FCC Operations Center; Susan Mort; John Schauble; Nadja SodosWallace; Sommer Gilbert  
**Subject:** FW: Hoopa Valley  
**Attachments:** Filing PN DA 20-463.pdf; Filing PN Attachment DA 20-463.pdf; HVPUD-Emergency STA Request for 2.5 GHz Band.pdf; Resolution 20-44 July 7 2020 PUD SPECTRUM.pdf

January 6, 2021

The Hoopa Valley Public Utilities District's (HVPUD) request for emergency Special Temporary Authority (STA) to operate on unassigned 2.5 GHz spectrum, formerly Educational Broadband Service spectrum, for a period of 60-days is granted via this email. The HVPUD will be using this spectrum to provide internet connectivity relief during the state of emergency caused by the spread of the coronavirus throughout the United States.

The HVPUD may use New Channel 1 (2502.0-2551.5 MHz), New Channel 2 (2551.5-2602.0 MHz) and New Channel 3 (2615.0-2616.0 MHz and 2673.5-2690.0 MHz) to transmit from 3 sites located at the following coordinates: Roads Tower 41-01-58.0N, 123-39-29.0W, Water Tower 41-03-06.0N, 123-40-45.0W and Bald Hill Tower 41-06-59.0N, 123-42-38.0W. This STA will also authorize operation on those frequencies of fixed and mobile customer equipment, located on the Hoopa Valley Indian Reservation in Humboldt County in California, used in associated with the transmitter sites listed above. This STA does not authorize operation on frequencies assigned to an existing license including, but not limited to, Station WQFG870.

This STA is authorized on a secondary, non-interference basis. The HVPUD must cease operating on these frequencies if such use causes harmful interference to any existing licensees.

Any structure utilized to operate pursuant to this STA must comply with the height limitations specified in Section 17.7 of the Commission's rules or must be registered with the FAA.

Operation under this STA must be consistent with the technical rules applicable to this spectrum.

The HVPUD must cease operating at the expiration of this STA.

The HVPUD must file an STA application for Special Temporary Authorization to continue its operations within 10 days of today's date (**January 6, 2021**) or the STA will automatically terminate.

The STA application should be filed in the Commission's Electronic Comment Filing System (ECFS) as a Non-Docketed Filing in the FCC Inbox for 1.931 market-based STA's, pursuant to the process described in the attachment to DA 20-463, a copy of which is attached to this email. In addition, a courtesy copy of the STA application should be mailed to the FCC staff members copied on this e-mail. If you have any questions about the filing process, please contact Paul Malmud of the Broadband Division at [Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov).

In granting this STA, the Wireless Telecommunications Bureau is relying on our understanding that the HVPUD is ready to begin operations promptly. Grant of this STA does not confer any rights to the HVPUD with regard to the 2.5 GHz Rural Tribal Priority Window.

Thank you,

Susan Mickley

Non-Public  
For Internal Use Only

**From:** Linnea Jackson <[hvpud.gm@gmail.com](mailto:hvpud.gm@gmail.com)>  
**Sent:** Wednesday, January 6, 2021 11:15 AM  
**To:** Nadja SodosWallace <[Nadja.SodosWallace@fcc.gov](mailto:Nadja.SodosWallace@fcc.gov)>  
**Cc:** John Schauble <[John.Schauble@fcc.gov](mailto:John.Schauble@fcc.gov)>; Paul Malmud <[Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov)>  
**Subject:** Re: Hoopa Valley

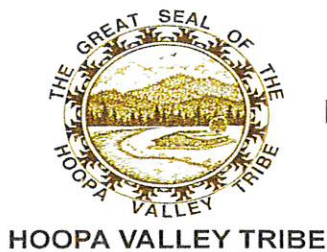
Thank you for your time yesterday. This spectrum is of the utmost importance to the Hoopa Valley Tribe, Hoopa Valley Public Utilities and our community.

Please find attached our written request for the Emergency STA.

If you need anything further, please contact me.

Respectfully,

Linnea



**HVPUD**  
**HOOPA VALLEY PUBLIC UTILITIES DISTRICT**  
P.O. BOX 656  
HOOPA, CALIFORNIA 95546-0656  
(530) 625-4543 • FAX: (530) 625-4112

January 6, 2021

Federal Communications Commission  
Wireless Telecommunications Bureau, Broadband Division  
Attn: John Schauble, Nadja SodosWallace and Paul Malmund

RE: Emergency STA for the 2.5 GHz Band

Dear FCC Staff:

My name is Linnea Jackson and I am the General Manager of the Hoopa Valley Public Utilities District (HVPUD), a chartered entity of the Hoopa Valley Tribe. Per this letter, HVPUD is requesting to be granted an Emergency STA for the 2.5 GHz band. HVPUD will apply for an STA and has a pending application to be granted the license for the 2.5 GHz Rural Tribal Priority Window.

Please find enclosed the following requested information:

**1. An explanation of the COVID-19 related emergency that justifies an STA;**

Due to the COVID-19 pandemic, the internet connectivity needs of the Hoopa Valley Indian Reservation (HVIR) have become readily apparent and far reaching. This global pandemic has highlighted the need for major communications upgrades to adequately address distance learning, online education, tele-medicine, and economic development needs. The Hoopa Valley Public Utilities District (HVPUD) is working in coordination with the Klamath-Trinity Joint Unified School District (KTJUSD) to prioritize installation to homes where students reside. The KTJUSD are still not attending in-person classes due to the pandemic.

The Hoopa Valley Tribal Council has issued dozens of non-essential tribal departments to close in response to the Pandemic Response Plan due to the spike in COVID-19 cases on the Hoopa Valley Indian Reservation and in Humboldt County. Tribal Managers are urged to have staff perform work via telecommuting.

Many homes do not have adequate internet service and are unable to meet the challenges of online learning and are falling farther behind in their educational goals and requirements. In addition, tribal employees are often not able to adequately perform professional work tasks at home due to reliable connectivity issues.

**2. A statement that a 60-day STA is requested;**

Pursuant to 47 CFR § 1.931, HVPUD is requesting that an Emergency STA be granted to permit immediate or temporary operation of the EBS channels. HVPUD will be applying for an STA within the appropriate timeframe and will provide all required documentation and information.

**3. A list of the specific frequencies for which an STA is sought.**

HVPUD is applying for all EBS Frequencies as follows:

- Channel 1 (2502 MHz-2551.5 MHz)
- Channel 2 (2551.5 MHz-2602.0 MHz)
- Channel 3 (2615 MHz-2616MHz and 2673.5 MHz-2690 MHz) ; All available remaining

**4. A statement that the applicant will not be operating on any the frequencies licensed to an incumbent 2.5 GHz licensee.**

The Hoopa Valley Public Utilities District will operate in accordance with all regulations required by the Federal Communications Commission (FCC) and will not operate on any frequencies that have already been issued to a licensee.

**5. A statement as to why use of the 2.5 GHz spectrum is required (and why 3.5 GHz is not appropriate).**

Issuance of an Emergency STA for 2.5 GHz is appropriate and necessary as a multitude of carrier grade equipment has been purchased in anticipation of the 2.5 GHz Rural Tribal Priority Window spectrum being granted to the Hoopa Valley Public Utilities District. HVPUD has procured specific and specialized equipment best suited to function and operate within these spectrum parameters. This equipment does not support any frequencies other than the 2.5 GHz band.

With the support of the Hoopa Valley Tribal Council, HVPUD applied for the 2.5 GHz Rural Tribal Priority Window in August 2020 (File #: 0009169345). In anticipation of being issued this license, HVPUD began planning a network topology around these frequencies and has made a considerable investment to operate on these specific frequencies.

**6. A description of the geographic area for which an STA is sought. As we discussed, if the applicant is looking to operate a three base station(s) under the STA, we would recommend providing the coordinates of where the base station(s) will be located, along with a statement that the applicant will be operating customer equipment on the reservation in conjunction with the base stations.**

The geographic area for the STA will be on Tribal Lands (Hoopa Valley Indian Reservation) in Northern California, Humboldt County, CA. HVPUD is facilitating broadband expansion for the Hoopa Valley Tribe and has developed a wireless internet service provider division of the utility. HVPUD will operate carrier-grade, customer owned equipment which will be distributed by three base stations.

The distribution towers within the HVIR are as follows:

**Roads Tower**

41°01'58" N 123°39'29" W

HVPUD will operating the following customer equipment at this location:

Cambium Networks 2.5GHz cnRanger equipment

- Sierra 800 Baseband Unit (BBU) – Model # LTE-BBU-800
- Palisade Remote Radio Head (RRH) – Model # 2LTE-RRH-220
- Channel 1

**Water Tower**

41°03'06" N 123°40'45" W

HVPUD will operating the following customer equipment at this location:

Cambium Networks 2.5GHz cnRanger equipment

- Sierra 800 Baseband Unit (BBU) – Model # LTE-BBU-800
- Palisade Remote Radio Head (RRH) – Model # 2LTE-RRH-220
- Channels 2, and 3

**Bald Hill Tower**

41°06'59" N 123°42'38" W

HVPUD will operating the following customer equipment at this location:

Cambium Networks 2.5GHz cnRanger equipment

- Sierra 800 Baseband Unit (BBU) – Model # LTE-BBU-800
- Palisade Remote Radio Head (RRH) – Model # 2LTE-RRH-220
- Channels 1, and 2

**7. A showing that the applicant will be in a position to start operating promptly after grant of the STA.**

The Hoopa Valley Tribe and the Hoopa Valley Public Utilities District will be able to utilize the frequencies immediately. A financial investment has been made to address the long-standing connectivity issues within our rural reservation, which includes tower upgrades, purchasing of carrier grade equipment, professional training for staff and securing a 1GB feed over a microwave backhaul. Deployment will commence immediately after the Emergency STA is issued.

8. **A statement that the applicant will comply with the service rules that apply to the 2.5 GHz band;**

HVPUD will comply with all of the service rules set forth by the FCC in the Report and Order issued on July 11, 2019 (Docket No. 18-120; Transforming the 2.5 GHz Spectrum).

9. **An acknowledgment that (a) operation under the STA is on a secondary, non-interference basis, (b) that an STA is temporary, and (c) that the applicant will cease operation when the STA expires;**

HVPUD fully acknowledges that the Emergency STA being requested is a secondary, non-interference basis. HVPUD acknowledges that this is a temporary authority to use this spectrum under emergency situations and circumstances which are extraordinary in nature.

10. **The Applicant's agreement that grant of the STA provides no rights to the spectrum in the Tribal Priority Window;**

HVPUD fully acknowledges that the STA in no way grants rights to the spectrum in the Tribal Priority Window. HVPUD has a pending application for the 2.5 GHz Rural Tribal Priority Window and hopes to be granted that license in the very near future.

11. **A letter of consent or other authorization from the tribal government.**

On June 20, 1972, the Hoopa Valley Tribe adopted a Constitution and By-Laws which was approved by the Commissioner of Indian Affairs on August 18, 1972, and ratified by Act of Congress on October 31, 1988.

On May 7, 1980, per Resolution #: P-80-11 the Hoopa Valley Business Council passed a Timetable for Chartering the Hoopa Valley Public Utilities District (HVPUD).

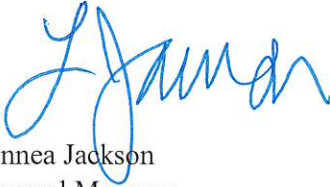
For the past 40 years, the Hoopa Valley Public Utilities District is an entity duly chartered pursuant to Article IX, Section 1(p) of the Hoopa Valley Tribe's Constitution and By-Laws, and its purpose is to provide utility services of high quality to the community.

On July 7, 2020, per Resolution #: 20-44, the Hoopa Valley Tribal Council approved a motion to approve the HVPUD to apply for the 2.5 GHz Rural Tribal Priority Window. HVPUD is the approved applicant for the spectrum on behalf of the Hoopa Valley Tribe. There is an critical time-sensitive need for the HVPUD to apply for an Emergency STA and eventually an STA for the EBS frequencies to address barriers amplified by the COVID-19 pandemic. HVPUD has anticipated being granted the license in a timely manner, but circumstances is requiring us to apply for an STA to meet a critical need for our community.

If you need anything further, please contact me at (530) 625-4543 x12 Office, (530) 510-1145 Cell # or via email at [hvpud.gm@gmail.com](mailto:hvpud.gm@gmail.com).

We thank you for your consideration of our application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Linnea Jackson', written in a cursive style.

Linnea Jackson  
General Manager

Attachments: Resolution #: 20-44

**RESOLUTION OF THE HOOPA VALLEY TRIBE  
HOOPA VALLEY INDIAN RESERVATION  
HOOPA, CALIFORNIA**

**RESOLUTION NO: 20-44**

**DATE APPROVED: JULY 7, 2020**

**SUBJECT: RESOLUTION OF THE HOOPA VALLEY TRIBAL COUNCIL TO APPROVE THE HOOPA VALLEY PUBLIC UTILITIES DISTRICT TO APPLY FOR THE 2.5 GHZ RURAL TRIBAL PRIORITY WINDOW**

**WHEREAS:** The Hoopa Valley Tribe (the “Tribe”) is a sovereign, federally recognized Indian Tribe recognized by the United States Secretary of Interior; and

**WHEREAS:** The Tribe adopted its Constitution and Bylaws of the Hoopa Valley Tribe, Hoopa Valley Indian Reservation (“Constitution”) on June 20, 1972, which was subsequently accepted and approved by the Commissioner of Indian Affairs on August 18, 1972 and ratified by Congress on October 31, 1988; and

**WHEREAS:** Pursuant to its inherent authority and Article V of the Constitution, the Hoopa Valley Tribal Council (“Tribal Council”), consisting of a Chairman and seven (7) other members, is the governing body of the Tribe, having all the legislative powers and responsibility of the Tribal Government; and

**WHEREAS:** Pursuant to its inherent sovereign authority and its Constitution, the Tribal Council has the governmental authority to manage and protect the health, safety, and welfare of the Tribe and its members, and to address conduct relating to the same on all lands on or in proximity to the exterior boundary of its Reservation that may affect the Tribe, its members, and the tribal community; and

**WHEREAS:** The Tribal Council established the Hoopa Valley Public Utilities District (“HVPUD”), an arm and entity of the Tribe, which is duly chartered pursuant to Article IX, Section 1(p) of the Constitution; and

**WHEREAS:** The purpose of the HVPUD is to provide public utility services of high quality to the Tribe, its tribal members, and the tribal community; and

**WHEREAS:** The Hoopa Valley Indian Reservation is eligible tribal land as it is rural in nature and meets the definition of “rural,” which is an area that does not include an urbanized area with a population of more than 50,000 people, according to Census Bureau data; and

**WHEREAS:** The Tribe has a local presence on the Hoopa Valley Indian Reservation as it employs hundreds of employees and provides critical governmental services, such as medical, fire, tribal police, educational components, etc. on the Hoopa Valley Indian Reservation; and

**WHEREAS:** The HVPUD has also provided utility services of high quality to the community, including water systems, sanitation, solid waste management and electrical services for the past thirty-eight (38) years; and

**WHEREAS:** The Hoopa Valley Tribal Council, in its capacity as the governing body of the Tribe and pursuant to its inherent and constitutional authority, finds it necessary to support the HVPUD in its application for the 2.5 GHz Rural Tribal Priority Window, which will use the spectrums for broadband deployment and economic development purposes; and

**WHEREAS:** The Tribe has not endorsed or approved any other applications other than HVPUD for the 2.5 GHZ Rural Tribal Priority Window on behalf of the Tribe; and

**WHEREAS:** As part of the Tribe's management and protection of the health, safety, and welfare of the Tribe, its tribal members and tribal community, the Tribe, through its Tribal Council, has determined it is in the best interest of the Tribe to approve the HVPUD to apply for the 2.5 GHZ Rural Tribal Priority Window.

**NOW THEREFORE, BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE HOOPA INDIAN TRIBE:** That the Hoopa Valley Tribe, at a duly called meeting with a quorum present, does hereby authorize and approve the Tribe's HVPUD to apply for the 2.5GHZ Rural Tribal Priority Window.

**BE IT FURTHER RESOLVED:** That the Tribal Council does hereby authorize and approve the Chairman, or in his absence, the Vice-Chairman to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

**[CERTIFICATION ON THE NEXT PAGE]**

**Resolution No. 20-44**

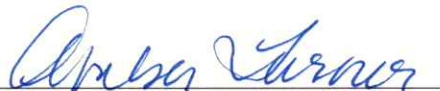
**C E R T I F I C A T I O N**

I, the undersigned, as Chairman of the Hoopa Valley Tribal Council, do hereby certify that the Hoopa Valley Tribal Council is composed of eight (8) members of which eight (8) were present, constituting a quorum at a Regular Meeting thereof; duly and regularly called, noticed, convened and held this 7<sup>th</sup> day of July 2020; and that this Resolution was duly adopted by a vote of seven (7) in favor with zero (0) opposed and zero (0) abstaining, and that said Resolution has not been rescinded or amended in any way.

DATED THIS SEVENTH DAY OF JULY 2020.

A handwritten signature in blue ink, appearing to read 'Byron Nelson Jr.', written over a horizontal line.

Byron Nelson Jr., Chairman  
Hoopa Valley Tribal Council

ATTEST:   
Amber Turner, Executive Secretary  
Hoopa Valley Tribal Council



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <https://www.fcc.gov>  
TTY: 1-888-835-5322

DA 20-463  
Released: April 29, 2020

## ELECTRONIC FILING NOW AVAILABLE FOR ALL LICENSE APPLICATIONS IN THE WIRELESS RADIO SERVICES

### *Mandatory Electronic Filing Will Be Enforced as of July 28, 2020*

By this Public Notice, the Wireless Telecommunications Bureau (WTB) announces 100% electronic filing capability for license applications in the Wireless Radio Services. The Bureau's Universal Licensing System (ULS) currently provides licensees and applicants electronic filing capability for the vast majority of applications in the Wireless Radio Services. There are a few limited categories of submissions that ULS has not been able to accept electronically, and until today, these had to be filed manually. These categories are: (1) Special Temporary Authority (STA) applications in certain market-based services, (2) sublease applications, and (3) multi-step transactions.

In an effort to provide a complete electronic filing solution to licensees and applicants, particularly considering the current pandemic due to COVID-19, WTB announces an ECFS non-docketed filing solution exclusively for the limited categories of applications referenced above. Instructions for how to complete non-docketed ECFS filings for this limited class of filings are attached to this Public Notice.<sup>1</sup>

Applicants may begin using ECFS to file their applications electronically effective **April 29, 2020**. A courtesy copy of any application(s) with an urgent filing deadline may be sent to [ULScc@fcc.gov](mailto:ULScc@fcc.gov). The ECFS solution will become mandatory for filers on **July 28, 2020**, and any manually filed applications delivered after 4 p.m. on **July 27, 2020** will be dismissed without prejudice. This creates a 90-day transition period, which we believe provides sufficient time to allow users to adjust to this new requirement and to familiarize themselves with the ECFS filing system.

**Mandatory Electronic Filing.** Section 1.913(b) requires electronic filing of all applications in the Wireless Radio Services (with limited exceptions).<sup>2</sup> Because ULS was previously unable to accept some limited categories of filings electronically, WTB routinely waived the electronic filing requirement for market-based STAs, sub-leases, and multi-step transactions. Now that electronic filing is available for these remaining categories, WTB will begin strictly enforcing the electronic filing requirement for them as of July 28, 2020. We waive the signature requirement of section 1.917(d) to the extent necessary to allow filing as described herein.<sup>3</sup>

For questions regarding this Public Notice, please contact Keith Harper, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2759; [Keith.Harper@fcc.gov](mailto:Keith.Harper@fcc.gov), or Paul Malmud, Broadband Division, Wireless Telecommunications Bureau, at (202) 418-0006; [Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov).

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<sup>1</sup> In addition, WTB observes that non-licensees often seek waivers of rules in the Wireless Radio Services, and we provide a tailored ECFS filing capability for those requests as well to eliminate the need for paper filings.

<sup>2</sup> Similarly, section 1.931 requires electronic filing of special temporary authority applications. 47 C.F.R. §§ 1.913, 1.931.

<sup>3</sup> 47 C.F.R. § 1.917(d).

**- FCC -**

**Attachment**  
**Wireless Telecommunications Bureau ECFS Non-docketed Filing Solution**

- **Do not use the ECFS non-docketed filing portal to submit any applications that can be electronically filed in the Universal Licensing System (ULS) or anything for which another existing electronic-filing system is available.**
- **Filers should use the ECFS non-docketed filing portal for submitting the specific types of documents listed in the following categories of FCC Inboxes:**
  - a. INBOX – 1.913 Universal Licensing System Adjunct
    - i. Sublease applications;
    - ii. Multi-step transactions, such as simultaneous assignment applications or lease back applications where ULS filing cannot be accomplished; or
    - iii. Any other application where electronic filing via ULS is unavailable
  - b. INBOX – 1.931 Market-based STAs
    - i. Requests for Special Temporary Authority (STA) in market-based services, typically awarded by auction.
  - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
    - i. Any requests by non-licensees seeking waivers of rules in the wireless radio services (e.g. equipment certification waivers).
- **Do not use the ECFS non-docketed filing portal to submit any confidential documents, as all documents uploaded via ECFS are available to the public. If an application requires the submission of confidential information, please coordinate with FCC staff to submit the specific confidential components via email.**

**Filing instructions:**

1. Filers should access the ECFS filing portal at <https://www.fcc.gov/ecfs/filings>.
2. Click on the blue header labeled “Non-Docketed Filing.”
3. From the field labeled “FCC Inbox,” use the drop-down menu to select the appropriate inbox for the intended filing. The following three WTB inboxes have been established for applicable filings:
  - a. INBOX – 1.913 Universal Licensing System Adjunct
  - b. INBOX – 1.931 Market-based STAs
  - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
4. Complete the necessary fields regarding filer information
5. In the “Upload Documents” field, click to upload the appropriate document or drag and drop the document in the perforated box.
  - a. Filers must include an electronic copy of their completed application signed pursuant to section 1.52 of the Commission’s rules, as well as any associated attachments.
  - b. Application filings must continue to utilize standard FCC forms for the intended application type, as found on the FCC forms page:  
<https://www.fcc.gov/licensing-databases/forms>.
  - c. The ECFS system permits a maximum of five uploadable files per filing;

- d. Filing types accepted are PDF, text, ppt, pptx, docx, xlsx, doc, xls, rtf, and dwg.
6. Select “continue to review screen” at bottom of screen
  - a. Review summary of information completed for accuracy.
  - b. If any corrections are required, filers can navigate back to the previous screen with the filer information using their browser’s back button.
7. Once filers have confirmed that the information they entered is correct, click the “submit” button on the bottom of the screen.
  - a. Filer will receive a confirmation number upon submission
  - b. Please save the number for tracking purposes.
8. If your application requires a fee, FCC staff will bill filers for the applicable fee once the application has been assigned a file number or otherwise keyed into ULS.
  - a. Filers will receive a letter notifying them of the payment due
    - i. During this temporary mandated telework period due to COVID-19, OMD is temporarily emailing applicants their bill
  - b. All fees must be paid electronically; Filers will utilize the Fee Filer portal to make the associated payment electronically: <https://apps.fcc.gov/FeeFiler/login.cfm>
  - c. Filers will have 30 days to remit payment electronically from the issuance of the notice from FCC staff.
9. Please direct any questions about filed applications to WTB Staff:
  - a. Mobility Division: Keith Harper (202) 418-2759; [Keith.Harper@fcc.gov](mailto:Keith.Harper@fcc.gov)
  - b. Broadband Division: Paul Malmud (202) 418-0006; [Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov).
10. Technical Assistance:
  - a. For technical assistance with ECFS, please contact the ECFS Help Desk at 202-418-0193 or [ECFSHelp@fcc.gov](mailto:ECFSHelp@fcc.gov).
  - b. For technical assistance with FCC Pay fees, please contact the ULS Help Line: (877)480-3201 and select option 2 (Mon.-Fri. 8 a.m.-6 p.m. ET).